

ORDINANCE NO. 436

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, AS HERETOFORE AMENDED, SO AS TO CHANGE THE FOLLOWING DESCRIBED TRACT OF LAND FROM "R-4" SINGLE FAMILY RESIDENTIAL DISTRICT TO "L-M" LIGHT MANUFACTURING DISTRICT CLASSIFICATION UNDER A SPECIAL PERMIT, SAID TRACT BEING DESCRIBED AS FOLLOWS: TRACT A: BEING LOCATED AT THE SOUTHEAST INTERSECTION OF BELT LINE ROAD AND WEBB CHAPEL ROAD, CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS, DESCRIBED AS FOLLOWS: BEING SITUATED IN THE W. W. COOK SURVEY ABSTRACT NO. 278, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE SOUTH LINE OF BELT LINE ROAD, SAID POINT BEING 25.94 FT. EAST OF THE EAST LINE OF WEBB CHAPEL ROAD; THENCE S. 88 DEGREES 27 MINUTES 50 SECONDS E. ALONG THE SOUTH LINE OF BELT LINE ROAD 41.12 FT. TO BEGINNING POINT OF CURVE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 14,003.4 FT., A CENTRAL ANGLE OF 1 DEGREE 02 MINUTES 50 SECONDS A DISTANCE OF 256.63 FT. TO END OF CURVE; THENCE S. 89 DEGREES 30 MINUTES 40 SECONDS E. 1224.18 FT. TO BEGINNING POINT OF CURVE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 6055.05 FT., A CENTRAL ANGLE OF 1 DEGREE 49 MINUTES 50 SECONDS A DISTANCE OF 192.34 FT. TO END OF CURVE; THENCE S. 87 DEGREES 40 MINUTES 50 SECONDS E. 388.53 FT. TO BEGINNING POINT OF CURVE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 6030.5 FT., A CENTRAL ANGLE OF 2 DEGREES 00 MINUTES 10 SECONDS A DISTANCE OF 210.5 FT. TO END OF CURVE; THENCE S. 89 DEGREES 41 MINUTES E. AND CONTINUING ALONG THE SOUTH LINE OF BELT LINE ROAD 2198.3 FT. TO CORNER, SAID CORNER BEING 19.24 FT. WEST OF THE WEST LINE OF MARSH LANE; THENCE S. 34 DEGREES 09 MINUTES E. 34.27 FT. TO CORNER IN THE WEST LINE OF MARSH LANE 28.25 FT. SOUTH OF THE SOUTH LINE OF BELT LINE ROAD; THENCE SOUTH ALONG THE WEST LINE OF MARSH LANE PARALLEL WITH AND 40.0 FT. WEST OF THE ORIGINAL CENTER LINE OF MARSH LANE 922.12 FT. TO ANGLE POINT; THENCE S. 5 DEGREES 04 MINUTES 20 SECONDS E. 169.70 FT. TO ANGLE POINT; THENCE SOUTH ALONG THE WEST

LINE OF MARSH LANE PARALLEL WITH AND 25.0 FT. WEST OF THE ORIGINAL CENTER LINE OF MARSH LANE 170.6 FT. TO CORNER; THENCE N. 89 DEGREES 41 MINUTES W. 4579.3 FT. TO CORNER IN THE EAST LINE OF WEBB CHAPEL ROAD; THENCE IN A NORTHERLY DIRECTION ALONG THE EAST LINE OF WEBB CHAPEL ROAD ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2905 FT. THROUGH A CENTRAL ANGLE OF 1 DEGREE 50 MINUTES 20 SECONDS A DISTANCE OF 93.22 FT. TO END OF CURVE; THENCE N. 0 DEGREES 19 MINUTES 30 SECONDS E. 1199.4 FT. TO CORNER, SAID CORNER BEING 26.5 FT. SOUTH OF THE SOUTH LINE OF BELT LINE ROAD; THENCE N. 45 DEGREES 16 MINUTES E. 36.67 FT. TO PLACE OF BEGINNING; THAT SUCH PROPERTY IS TO BE USED FOR "L-M" MANUFACTURING DISTRICT PURPOSES UNDER A SPECIAL PERMIT, WITH THE EXCEPTION THAT THE FOLLOWING USES SHALL NOT BE PERMITTED IN SAID TRACT: AIRPLANE REPAIR AND MANUFACTURE, BOILER MANUFACTURE AND REPAIR OF BOILERS, BROOM MANUFACTURING, CARPET CLEANING, COAL YARD, COAL HOISE, COAL POCKET OR COAL CAR TRESTLE, COTTON GINNING AND BALING, COTTONSEED PRODUCTS MANUFACTURE, DISINFECTANT MANUFACTURE, DYE MANUFACTURE, FLOUR MILLING AND GRAIN STORAGE AND ELEVATORS, GASOLINE WHOLESALE STORAGE, GRAIN ELEVATOR, GRAVEL PITS, INTERURBAN RAILWAY SHOPS AND YARDS, RAILWAY TERMINAL AND YARDS, BUS AND TRUCK STORAGE, CAR BARN, CEMENT STORAGE (NOT ENCLOSED), MOTORCYCLE REPAIRING, MINIATURE GOLF COURSE, PENAL OR CORRECTIONAL INSTITUTION FOR THE INSANE, FEEBLE MINDED, LIQUOR OR NARCOTIC PERSONS, SECOND-HAND FURNITURE, STORAGE OF TRUCKS, SAND OR GRAVEL, STORAGE AND SALES OF AUTO PARTS AND ACCESSORIES, STREETCAR BARN, HORSESHOEING, LIVERY STABLE, POULTRY SLAUGHTERING, PUBLIC STABLES, RAILROAD YARD, ROUNDHOUSE OR SHOP, RIDING ACADEMY, ROCK CRUSHING, SAND AND GRAVEL PIT, STABLE, STONE QUARRY, STORAGE OF LIVE POULTRY OR POULTRY DRESSING, SUBJECT TO THE SPECIAL CONDITIONS HEREINAFTER MORE FULLY ESTABLISHED; AND SO AS TO CHANGE THE FOLLOWING DESCRIBED TRACT OF LAND FROM "R-3" AND "R-4" SINGLE FAMILY RESIDENTIAL DISTRICT TO "A" APARTMENT DISTRICT CLASSIFICATION UNDER A SPECIAL PERMIT, SAID TRACT BEING DESCRIBED AS FOLLOWS:

TRACT B: BEING LOCATED BETWEEN WEBB CHAPEL ROAD AND MARSH LANE, SOUTH OF BELT LINE ROAD, CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS, DESCRIBED AS FOLLOWS: BEING SITUATED IN THE W. W. COOK SURVEY ABSTRACT NO. 273 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE WEST LINE OF MARSH LANE, SAID POINT BEING 2050 FT. SOUTH OF THE CENTER LINE OF BELT LINE ROAD, AND ALSO BEING THE NE CORNER OF A 49.00 ACRE TRACT CONVEYED TO RIVERDALE DEV. CORP. BY HAWNCO, INC.; THENCE N. 89 DEGREES 41 MINUTES WEST 355.0 FT. TO CORNER; THENCE N. 0 DEGREES 19 MINUTES E. 400.0 FT. TO CORNER; THENCE N. 89 DEGREES 41 MINUTES W. 260.0 FT. TO CORNER; THENCE S. 61 DEGREES 49 MINUTES W. 510.0 FT. TO CORNER; THENCE S. 24 DEGREES 56 MINUTES 30 SECONDS W. 172.32 FT. TO CORNER; THENCE S. 89 DEGREES 41 MINUTES E. 53.44 FT. TO CORNER; THENCE S. 27 DEGREES 17 MINUTES W. 298.7 FT. TO CORNER; THENCE S. 45 DEGREES 39 MINUTES W. 248.0 FT. TO CORNER; THENCE S. 13 DEGREES 41 MINUTES W. 127.8 FT. TO CORNER; THENCE S. 5 DEGREES 00 MINUTES W. 150.0 FT. TO CORNER; THENCE S. 31 DEGREES 20 MINUTES E. 51.60 FT. TO CORNER; THENCE S. 8 DEGREES 40 MINUTES W. 190.0 FT. TO CORNER; THENCE N. 81 DEGREES 20 MINUTES W. 410.0 FT. TO CORNER; THENCE N. 74 DEGREES 00 MINUTES W. 110.0 FT. TO CORNER; THENCE N. 63 DEGREES 30 MINUTES W. 235.0 FT. TO CORNER; THENCE N. 57 DEGREES 23 MINUTES 20 SECONDS W. 305.18 FT. TO CORNER; THENCE N. 77 DEGREES 44 MINUTES W. 235.37 FT. TO CORNER; THENCE N. 58 DEGREES 32 MINUTES W. 657.54 FT. TO CORNER; THENCE N. 89 DEGREES 41 MINUTES W. 1563.35 FT. TO CORNER IN THE EAST LINE OF WEBB CHAPEL ROAD; THENCE IN A NORTHERLY DIRECTION ALONG THE EAST LINE OF WEBB CHAPEL ROAD ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2905 FT. THROUGH A CENTRAL ANGLE OF 17 DEGREES 37 MINUTES 50 SECONDS A DISTANCE OF 893.9 FT. TO CORNER; THENCE S. 89 DEGREES 41 MINUTES E. ALONG THE SOUTH LINE OF A 136.128 ACRE TRACT TO BE ZONED "LIGHT INDUSTRIAL" A DISTANCE OF 4579.8 FT. TO CORNER IN THE WEST LINE OF MARSH LANE; THENCE SOUTH ALONG THE WEST LINE OF MARSH LANE PARALLEL WITH AND 25.0 FT. WEST OF THE ORIGINAL CENTER

LINE OF MARSH LANE 710.0 FT. TO PLACE OF BEGINNING; THAT SUCH PROPERTY IS TO BE USED FOR "A" APARTMENT PURPOSES UNDER A SPECIAL PERMIT, SUBJECT TO THE SPECIAL CONDITIONS HEREINAFTER MORE FULLY ESTABLISHED; THAT THE PROPERTY SHALL BE IMPROVED ACCORDING TO PLANS AND SPECIFICATIONS SUBMITTED THEREFOR, WHICH SHALL BE APPROVED BY THE CITY COUNCIL AND THE CITY PLANNING COMMISSION AND SUBJECT TO THE CONDITIONS CONTAINED HEREIN; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Planning Commission of the City of Farmers Branch and the Governing Body of the City of Farmers Branch, in compliance with the Charter of the City of Farmers Branch and the state law with reference to the granting of special permits under the zoning ordinance regulations and zoning map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally and to the persons interested and situated in the affected area and in the vicinity thereof, the Governing Body of the City of Farmers Branch is of the opinion that the special permits should be granted, subject to the conditions set out herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas be, and the same is hereby amended by amending the zoning map of the City of Farmers Branch so as to change the following described tract of land from an "R-4" Single Family Residential District to "L-M" Light Manufacturing District classification under a special permit, as provided for under the provisions of Article XIV of the Comprehensive Zoning Ordinance, as heretofore amended, subject to the special conditions contained herein. That the property to be

covered by such special permit is described as follows, to-wit:

TRACT A:

Being located at the Southeast intersection of Belt Line Road and Webb Chapel Road, City of Farmers Branch, Dallas County, Texas, described as follows:

Being situated in the W. W. Cook Survey Abstract No. 273, and being more particularly described as follows:

BEGINNING at a point in the South line of Belt Line Road, said point being 25.94 ft. East of the East line of Webb Chapel Road;

Thence S. $88^{\circ} 27' 50''$ E. along the South line of Belt Line Road 41.12 ft. to beginning point of curve;

Thence along a curve to the left having a radius of 14,003.4 ft., a central angle of $1^{\circ} 02' 50''$ a distance of 256.63 ft. to end of curve;

Thence S. $89^{\circ} 30' 40''$ E. 1224.18 ft. to beginning point of curve;

Thence along a curve to the right having a radius of 6055.05 ft., a central angle of $1^{\circ} 49' 50''$ a distance of 192.34 ft. to end of curve;

Thence S. $87^{\circ} 40' 50''$ E. 383.53 ft. to beginning point of curve;

Thence along a curve to the left having a radius of 6030.5 ft., a central angle of $2^{\circ} 00' 10''$ a distance of 210.5 ft. to end of curve;

Thence S. $89^{\circ} 41'$ E. and continuing along the South line of Belt Line Road 2198.3 ft. to corner, said corner being 19.24 ft. West of the West line of Marsh Lane;

Thence S. $34^{\circ} 09'$ E. 34.27 ft. to corner in the West line of Marsh Lane 28.25 ft. South of the South line of Belt Line Road;

Thence South along the West line of Marsh Lane parallel with and 40.0 ft. West of the original center line of Marsh Lane 922.12 ft. to angle point;

Thence S. $5^{\circ} 04' 20''$ E. 169.70 ft. to angle point;

Thence South along the West line of Marsh Lane parallel with and 25.0 ft. West of the original center line of Marsh Lane 170.6 ft. to corner;

Thence N. $89^{\circ} 41'$ W. 4579.8 ft. to corner in the East line of Webb Chapel Road;

Thence in a northerly direction along the East line of Webb Chapel Road along a curve to the left having a radius of 2905 ft. through a central angle of $1^{\circ} 50' 20''$ a distance of 93.22 ft. to end of curve;

Thence N. $0^{\circ} 19' 30''$ E. 1199.4 ft. to corner, said corner being 26.5 ft. South of the South line of Belt Line Road;

Thence N. $45^{\circ} 16'$ E. 36.67 ft. to place of beginning.

However, such property shall not be used for any of the following purposes: Airplane repair and manufacture, boiler manufacture and repair of boilers, broom manufacturing, carpet cleaning, coal yard, coal hoise, coal pocket or coal car trestle, cotton ginning and baling, cottonseed products manufacture, disinfectant manufacture, dye manufacture, flour milling and grain storage and elevators, gasoline wholesale storage, grain elevator, gravel pits, interurban railway shops and yards, railway terminal and yards, bus and truck storage, car barns, cement storage (not enclosed), motorcycle repairing, miniature golf course, penal or correctional institution for the insane, feeble minded, liquor or narcotic persons, second-hand furniture, storage of trucks, sand or gravel, storage and sales of auto parts and accessories, streetcar barn, horseshoeing, livery stable, poultry slaughtering, public stables, railroad yard, roundhouse or shop, riding academy, rock crushing, sand and gravel pit, stable, stone quarry, storage of live poultry or poultry dressing.

SECTION 2. That the special permit for "L-M" Manufacturing District use, with reference to the hereinabove described property is granted upon the following express conditions, and in accordance with Article XIV of the Comprehensive Zoning Ordinance, to-wit:

1. That prior to the issuance of any building permit on the tract or any portion thereof, a site plan for each development shall be submitted to and approved by the City Planning and Zoning Commission and the City Council showing location of proposed buildings, building line setbacks, designation of areas for offstreet parking and loading, and interior circulation proposed, and the development shall be generally in conformance with such site plan.

2. That prior to the approval of any site plan by the City Planning Commission and the City Council sufficient land shall be dedicated to provide for the widening of Marsh Lane,

Belt Line Road and Webb Chapel Road to major thoroughfare standards as required in the major thoroughfare plan and that the required right-of-way shall be dedicated for the provision of the secondary thoroughfares as required by the major thoroughfare plan.

3. That all means of ingress and egress to the property shall be approved by the City Planning and Zoning Commission and City Council.

4. That all service drives, entrances and parking areas shall have minimum surface of six inches compact gravel, two coats of penetration asphalt; that all curbs and drainage structures shall be installed in accordance with the requirements and specifications of the City of Farmers Branch and the developers shall bear the total/^{cost} of all such improvements.

5. That no sign or billboards other than those pertaining to the occupancy of the premises or the commodities sold thereon shall be permitted and such allowable signs shall be of the parapet wall, marquee or flat wall type, except in the event of filling stations, drive-in groceries, drive-in laundry pick up station or other similar drive-in facilities located on the property, standard pole signs not exceeding 36 square feet shall be permitted for the drive-in type facilities. No sign or billboard shall be permitted with a flashing or intermittent light. Special signs not covered above shall be approved by the City Planning and Zoning Commission and the City Council after submission of plans for same.

6. All streets within the industrial area shall have a minimum of 60 feet of right-of-way and be improved with 40 feet of pavement in accordance with the specifications and

requirements of the City of Farmers Branch and the developers shall bear the total cost of all such improvements.

7. That all building lines shown on the proposed development plan shall be observed in the development of the property.

SECTION 3. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended by amending the zoning map of the City of Farmers Branch so as to change the following described tract of land from "R-3" and "R-4" Single Family Residential District to "A" Apartment District Classification under a special permit, as provided for under the provisions of Article XIV of the Comprehensive Zoning Ordinance, as heretofore amended, subject to the special conditions contained herein. That the property to be covered by such special permit is described as follows, to-wit:

TRACT B:

Being located between Webb Chapel Road and Marsh Lane, South of Belt Line Road, City of Farmers Branch, Dallas County, Texas, described as follows:

Being situated in the W. W. Cook Survey Abstract No. 278 and being more particularly described as follows:

BEGINNING at a point in the West line of Marsh Lane, said point being 2050 feet South of the center line of Belt Line Road, and also being the NE corner of a 49.00 by HAWNCO, INC.:

Thence N. $89^{\circ} 41'$ W. 355.0 feet to corner;

Thence N. $0^{\circ} 19'$ E. 400.0 feet to corner;

Thence N. $39^{\circ} 41'$ W. 260.0 feet to corner;

Thence S. $61^{\circ} 49'$ W. 510.0 feet to corner;

Thence S. $24^{\circ} 56' 30''$ W. 172.32 feet to corner;

Thence S. $39^{\circ} 41'$ E. 53.44 feet to corner;

Thence S. $27^{\circ} 17'$ W. 223.7 feet to corner;

Thence S. 45° W. 200.0 feet to corner;

Thence S. $13^{\circ} 41'$ W. 127.3 ft. to corner;
Thence S. $5^{\circ} 00'$ W. 150.0 ft. to corner;
Thence S. $81^{\circ} 20'$ E. 51.60 ft. to corner;
Thence S. $8^{\circ} 40'$ W. 190.0 ft. to corner;
Thence N. $81^{\circ} 20'$ W. 410.0 ft. to corner;
Thence N. $74^{\circ} 00'$ W. 110.0 ft. to corner;
Thence N. $63^{\circ} 30'$ W. 235.0 ft. to corner;
Thence N. $57^{\circ} 23' 20''$ W. 305.18 ft. to corner;
Thence N. $77^{\circ} 44'$ W. 235.37 ft. to corner;
Thence N. $53^{\circ} 32'$ W. 657.54 ft. to corner;
Thence N. $39^{\circ} 41'$ W. 1563.35 ft. to corner in the
East line of Webb Chapel Road;

Thence in a northerly direction along the East line
of Webb Chapel Road along a curve to the left having
a radius of 2905 ft. through a central angle of
 $17^{\circ} 37' 50''$ a distance of 393.9 ft. to corner;

Thence S. $39^{\circ} 41'$ E. along the South line of a 136.123
acre tract to be zoned "Light Industrial" a distance
of 4579.3 ft. to corner in the West line of Marsh Lane;

Thence South along the West line of Marsh Lane parallel
with and 25.0 ft. West of the original center line of
Marsh Lane 710.0 ft. to place of beginning.

SECTION 4. That the special permit for "A" Apartment
uses, with reference to the hereinabove described property is
granted upon the following express conditions, and in accor-
dance with Article XIV of the Comprehensive Zoning Ordinance,
to-wit:

1. That prior to the issuance of any building
permit on the tracts or any portion thereof, a site plan for
each development shall be submitted to and approved by the City
Planning and Zoning Commission and the City Council showing
location of proposed buildings, building line setbacks, desig-
nation of areas for offstreet parking and loading, and interior
circulation proposed, and the development shall be generally in
conformance with such site plan.

2. That prior to the approval of any site plan
by the City Planning Commission and the City Council, sufficient

land shall be dedicated to provide for the widening of Marsh Lane, and Webb Chapel Road to major thoroughfare standards as required in the major thoroughfare plan and that the required right-of-way shall be dedicated for the provision of the secondary thoroughfares as required by the major thoroughfare plan.

3. That all means of ingress and egress to the property shall be approved by the City Planning and Zoning Commission and City Council.

4. That all service drives, entrances and parking areas shall have minimum surface of six inches compact gravel, two coats of penetration asphalt; that all curbs and drainage structures shall be installed in accordance with the requirements and specifications of the City of Farmers Branch and the developers shall bear the total of all such improvements.

5. All streets within the apartment area shall have a minimum of 60 feet of right-of-way and be improved with 40 feet of pavement in accordance with the specifications and requirements of the City of Farmers Branch and the developers shall bear the total cost of all such improvements.

6. That all building lines shown on the proposed development plan shall be observed in the development of the property.

SECTION 5. That the site plans or development plans, when approved by the City Planning Commission and the City Council, shall become a part of this ordinance for all purposes. A true copy of the site or development plans shall be retained in the office of the City Secretary and in the office of the City Manager for observance in connection with these improvements.

SECTION 6. That all ordinances of the City of Farmers Branch in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other provisions of the ordinances of the City of Farmers Branch not in conflict with

the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That the above described tractsof land shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Farmers Branch as heretofore amended and as amended herein by the granting of these special permits for "L-M" Manufacturing District and "A" Apartment uses, and subject to the restrictions placed thereon.

SECTION 8. That should any section, paragraph, subdivision, clause, phrase or provision of this ordinance be adjudged in violation or held unconstitutional, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the parts so decided to be invalid or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 9. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

SECTION 10. Whereas, it appears that the above described properties require that they be given the zoning classifications in order to permit their proper development, and in order to protect the public interest, comfort and general welfare of the City of Farmers Branch, creates an urgency and an emergency for the preservation of the public health, safety and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance as the law in such cases provides.

DULY PASSED ON THE 21 day of October, 1963.

APPROVED:


MAYOR

ATTEST:

AS TO FORM:

